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Proposed Attorneys for Debtor

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE: §
§
BOWIE REAL ESTATE HOLDINGS, LP § CASE NO. 20-70115
§ (Chapter 11)
DEBTORS §

MOTION TO EMPLOY MATTHEWS RETAIL GROUP AS REAL ESTATE BROKER

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 1100 COMMERCE STREET, ROOM 1254 DALLAS, TEXAS 75242 BEFORE CLOSE OF BUSINESS ON JUNE 18, 2020, WHICH IS AT LEAST 21 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

Bowie Real Estate Holdings, LP (“Debtor”) files its Motion to Employ Matthews Real Estate Group as Real Estate Broker (“Motion”) as follows:

1. On April 6, 2020 (the “Petition Date”) the Debtor filed its voluntary petition under chapter 11 of the United States Bankruptcy Code.

2. The Debtor is in possession of its property and is managing its affairs pursuant to 11 U.S.C. §§ 1107 and 1108.

3. The Debtor owns real property located at 705 E. Greenwood Ave. Bowie Texas; 1111 N. Lamb St. Bowie Texas; 804 Gray St., Bowie Texas 76230 (the “Real Property”) which includes a 49-bed hospital facility and other improvements.

4. In order to market the Real Property most effectively and thereby liquidate the Real Property for the best and highest price, the Debtor has chosen the assistance of Matthews Retail Group, Inc. dba Matthews Real Estate Investment Services (“Matthews Retail Group”), a provider of real estate investment sales and financing advisory services. Matthews Retail Group markets commercial investment properties throughout the United States. Matthews Retail Group maintains an office at 16501 Ventura Blvd., Suite 510, Encino, California. The Debtor has negotiated an Exclusive Sale Listing Agreement with Matthews Retail Group to market the Real Property (the “Listing Agreement”). The term of the agreement is to last for six (6) months. The approved real estate listing sale price is \$4,200,000. The agreed upon sale commission is six percent (6.00%). The Listing Agreement provides for an additional two percent (2%) commission in the event the Broker is able to effectuate a sale and closing of the Real Property in the first ninety (90) days of the term of the Listing Agreement at a price and terms acceptable to the Debtor. A true and correct copy of the Listing Agreement is attached hereto as Exhibit “A.”

5. The Debtor seeks to hire Matthews Retail Group as its real estate agent in this chapter 11 proceeding pursuant to the terms of the Listing Agreement.

6. Matthews Retail Group has been informed and understands that no sale may be consummated until after notice and a hearing and the entry of an order by the Bankruptcy Court approving the sale.

7. The Debtor is satisfied that Matthews Retail Group and its employees are disinterested persons within the meaning of 11 U.S.C. §101(14). The Affidavit of Rahul Chhajed in support of this Application is attached.

8. Matthews Retail Group is aware of the provisions of 11 U.S.C. §328(a) and has agreed, notwithstanding the terms and conditions of employment set forth herein, that the Court may allow compensation different from the compensation provided herein if such terms and conditions prove to have been improvident in light of developments unanticipated at the time of the fixing of such terms and conditions.

WHEREFORE, PREMISES CONSIDERED, Debtors pray that they be authorized to hire Matthews Retail Group as its real estate agent on the terms and conditions set forth herein.

Respectfully submitted,

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By: /s/ John Paul Stanford
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State Bar No. 19037350

ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served by electronic transmission via the CM/ECF system upon all parties registered to receive electronic notice in this bankruptcy case, and/or regular U.S. mail, postage prepaid, on this 28th day of May 2020, on all parties on the attached matrix.

/s/ John Paul Stanford